



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 26TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
CRIMINAL PETITION NO.103033 OF 2024
(482 OF Cr.PC/528 OF BNSS)

BETWEEN:

SHRI ANIL S/O. CHIDANAND SHINDE,
AGE: 31 YEARS, OCC: SECOND DIVISION ASSISTANT,
R/O. SDC OF THASHILDAR OFFICE, CHIKKODI,
TQ. CHIKKODI, DIST. BELAGAVI-591201,
(NOW AT R/O. AMBEDKAR NAGAR CHIKKODI).

...PETITIONER

(BY SRI SANTOSH B. RAWOOT, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
THROUGH CHIKKODI POLICE STATION,
REPTD BY ADDITIONAL S.P.P.,
S.P.P. OFFICE, HIGH COURT OF KARNATAKA,
DHARWAD BENCH, DHARWAD-580001.
2. MANJUR MURTUJA JAMADAR,
AGE: 45 YEARS, OCC: CONTRACTOR,
R/O. INDRA NAGAR, CHIKKODI,
TQ. CHIKKODI, DIST. BELAGAVI-591201.

...RESPONDENTS

(BY SRI ABHISHEK MALIPATIL, HCGP FOR R1;
SRI SANTOSH S. HATTIKATAGI, ADV. FOR R2)

THIS CRIMINAL PETITION IS FILED U/S.482 OF THE CODE OF CRIMINAL PROCEDURE, (U/S.528 OF BNSS), PRAYING TO QUASH THE COMPLAINT AND REGISTRATION OF FIR IN CHIKKODI P.S. CRIME NO.174/2023 DATED 02.08.2023 AGAINST PETITIONER/ACCUSED NO.1 PENDING ON THE FILE OF PRINCIPAL CIVIL JUDGE (JR.DN.) AND JMFC COURT CHIKKODI, BELGUAM OF THE OFFENCE PUNISHABLE U/S.465, 468, 409, 420 AND 34 OF IPC AND JMFC COURT CHIKKODI, DIST. BELAGAVI TO MEET THE ENDS OF JUSTICE & EQUITY AND ETC.



THIS PETITION COMING ON FOR ADMISSION, THIS DAY ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL ORDER

This petition is filed by the accused No.1 under Section 482 of Cr.P.C. seeking to quash the proceedings with the following prayer:

- "a) Quash the complaint and registration of FIR in Chikkodi P.S. Crime No.174/2023 dated: 02.08.2023 against petitioner/accused No.1 pending on the file of Prl. Civil Judge (Jr. Dn.) & JMFC Court, Chikkodi, Belagaum, of the offence punishable Under Sec 465, 468, 409, 420 and 34 of IPC and JMFC Court Chikkodi, Dist: Belagavi to meet the ends of justice and equity.
- b) Pass any other order, directions as deem it fit by this Hon'ble Court."

2. It is the brief case of prosecution as per complaint averments that the complainant is an electric and civil contractor and was allotted tender work in the office of the Panchayat and during election period he was allotted a sum of Rs.35,65,660/- and upon the work made by the complainant amounts were sanctioned through cheques and one among the cheques was Rs.5,00,000/-, which was credited to the account maintained by the complainant, but



some body has withdrawn the said amount of Rs.5,00,000/- and upon making enquiry, he was informed that the accused No.1 in collusion with accused No.2 – Bank Manager has withdrawn the said amount by making forgery signature on the authorisation letter. Therefore, the complainant lodged the complaint alleging above said offence against accused.

3. Heard Sri.Santhosh B. Rawoot, learned counsel appearing for the petitioner and Sri.Abishek Malipatil, learned HCGP appearing for the respondent No.2/complainant.

4. Learned counsel for the petitioner/accused No.1 submitted that the entire complaint averments are false one and further submitted that he has not forged any signature and also has not produced any authorisation letter to the Bank. Therefore, submitted that false complaint is filed, which is abuse of process of Court and as such, prays to quash the proceedings.



5. Learned counsel appearing for the respondent No.2/complainant has opposed the quashing of proceedings against the petitioner/accused No.1.

6. In the present case an allegation is made against petitioner/accused No.1. He is working as SDC and he has withdrawn a sum of Rs.5,00,000/- which is in the account of the complainant by submitting forged authorisation letter to the Bank and the Bank has approved to withdraw the said amount of Rs.5,00,000/-. Therefore, an offence of forgery was committed.

7. When this being the allegation, at this stage, it cannot be decided regarding the truth and veracity of the complaint, which could be tried only in the trial. Furthermore, the petitioner has failed to demonstrate how the petition gives effect to the provisions of the Code and has also failed to show what constitutes an abuse of the process of the Court, as well as how the petition aids in



securing the ends of justice. Therefore, none of the ingredients required to invoke Section 528 of BNSS (Section 482 of Cr.P.C.) are attracted. The grounds raised in the petition are to be considered during trial, and since disputed facts cannot be adjudicated in a petition filed under Section 528 of BNSS (Section 482 of Cr.P.C.), therefore, the petition is liable to be dismissed, and it is ***dismissed***.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE

DR /CT-AN
List No.: 2 Sl No.: 59